



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

PATRICK C. KELIHER
COMMISSIONER

Shellfish Harvesting Area Classification – Notification of Changes

June 17, 2024

This notice is in effect until repealed or replaced.

Ladies and Gentlemen:

Under the authority of 12 M.R.S.A. § 6172; the Commissioner has made the following changes to Growing Area EH, Seawall (Southwest Harbor) to Otter Cove (Mount Desert), including the Cranberry Isles. This notice reclassifies an area in Otter Cove (Mount Desert/Bar Harbor) from Approved to Conditionally Approved due to potential by-pass or overflow at a Waste Water Treatment Plant pump station. An interactive map that allows the user to zoom in to specific areas can be found on the ME DMR website: <https://www.maine.gov/dmr/shellfish-sanitation-management/maps/index.html>. All existing pollution and biotoxin closures remain in effect.

The boundary descriptions of the area are as follows (struck text is being removed and underlined text is being added):

Prohibited: Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops taken from the shores, flats and waters of the following Prohibited areas:

- P1. Broad Cove (Mount Desert): west of a line beginning at Mason Point running southeast to the southwestern tip of Bar Island, and then south to a red painted post on an unnamed point of land south of the Somes Sound View Campground on the western shore of Somes Sound.
- P2. Northeast Harbor, Bracy Cove, and Seal Harbor (Mount Desert): south and east of a line beginning at an unnamed point of land approximately 380 yards southwest of the mouth of Hadlock Stream (Northeast Harbor), running southwest to the eastern tip of Fernald Point; then southeast to Sand Point, Greening Island; AND north of a line beginning at the tip of Eastern Point, Greening Island then running northeast to Crowninshield Point and then southeast to East Bunker Ledge, then north to Ingraham Point; AND south of a line across the mouth of Northeast Harbor beginning at the base of a private pier approximately 175 yards south of the Clifton Dock, running northeast to the base of a private pier on the opposite shore.
- P3. Northeast Harbor (Mount Desert): west of a line starting at an unnamed point of land approximately 150 yards east of the harbor boat launch ramp, then running north to the base of the third private pier north of the marina.

- P4. Southwest Harbor and Norwood Cove (Southwest Harbor): west of a line beginning at Kings Point, running north to the southwest point of Greening Island, and then northwest to the base of the sixth private pier north of the entrance to Norwood Cove.
- P5. Sutton Island (Cranberry Isles): from the shoreline of the island out to the lowest low tide line of the flats surrounding the island.
- P6. Little Cranberry Island (Cranberry Isles): southwest of a line beginning at Bunker Head then running southeast approximately 675 yards to an unnamed point of land.
- P7. Little Cranberry Island (Cranberry Isles): east of a line beginning at the southwest point of Hadlock Point then running south to the tip of The Maypole.
- P8. Spurling Cove (Great Cranberry Island): south of a line beginning at the tip of Spurling Point then running east to an unnamed point of land.
- P9. Little Cranberry Island (Cranberry Isles): north of a line beginning at the tip of The Maypole then running east to the southern tip of Bar Point.

Conditionally Restricted: Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) from the shores, flats and waters of the following Conditionally Restricted area(s) without a special MDMR permit during the open dates:

- CR1. Mason Point (Somesville): south and west of a line beginning at the western tip of Mason Point, then running northwest to the southeastern tip of the prominent point of land on the opposite shore (closed May 1st through September 30th).

Conditionally Approved (Seasonal): Effective immediately, because of seasonal pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) from the shores, flats and waters of the following Conditionally Approved area(s) during the closed dates:

- CA1. Somes Harbor (Somesville): north of a line beginning at the northern tip of Mason Point and running east to the tip of Squantum Point; AND east of a line beginning at the western tip of Mason point, then running northwest to the southeastern tip of the prominent point of land on the opposite shore (closed from May 1st through September 30th).
- CA2. Sargent Cove to Marine Railway (Mount Desert): east of a line beginning at a red painted post on the tip of land, approximately 320 yards southwest of the Marine Railway, that forms the mouth of an unnamed cove and running southeast to the northwest tip of land at the mouth of Sargent Cove (closed May 1st through September 30th).
- CA3. Northeast Harbor (Mount Desert): north of a line across the mouth of the harbor beginning at the base of a private pier approximately 175 yards south of the Clifton Dock, running northeast to the base of a private pier on the opposite shore AND east of a line beginning at an unnamed point of land approximately 150 yards east of the harbor boat launch ramp, then running north to the base of the third private pier north of the marina (closed May 1st through October 31st).

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Conditionally Approved (WWTP): Effective immediately, because of proximity to a WWTP pump station, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) from the shores, flats and waters of the following Conditionally Approved area(s) following a by-pass or overflow event at the Otter Creek pump station. For current status, please refer to the Statewide Conditional Area Closure Notice on the DMR website. <https://www.maine.gov/dmr/fisheries/shellfish/shellfish-closures-and-aquaculture-leases-map>.

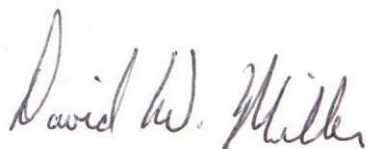
CA4. Otter Cove (Mount Desert/Bar Harbor): North of Park Loop Road.

Approved: All other shores, flats and waters not described in the above sections are Approved and it is lawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) when in the open status. For current status, please refer to the Biotxin and Emergency Closure Notices on the DMR website: <https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html>

A. Growing Area EH.

If you have questions, please contact Department of Marine Resources, 194 McKown Point Road, West Boothbay Harbor, Maine 04575-0008, Tel: (207) 633-9500 Email: DMRPublicHealthDiv@maine.gov. During weekends/holidays, contact on duty Marine Patrol Officers through the appropriate State Police barracks: from New Hampshire border to Brunswick, barracks 1-800-228-0857; from Cushing/Boothbay to Lincolnville/Belfast area, barracks 1-800-452-4664; from Belfast to Canadian border, barracks 1-800-432-7381. This notice can be viewed on the Department's website at <https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html>. This information is also recorded on our HOTLINE (207- 624-7727 OR 1-800-232-4733).

Sincerely,



David W. Miller
Eastern Maine Growing Area,
Commissioner's Designee

1:30 PM
(Effective Time)